

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

COREY ALAN BENNETT,)	
)	
Plaintiff,)	
)	
)	
vs.)	CASE NO. 3:15-0198
)	JUDGE TRAUGER/KNOWLES
)	
TONY PARKER, et al.,)	
)	
Defendants.)	

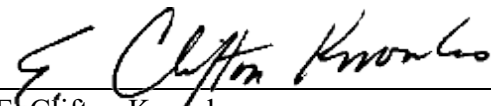
REPORT AND RECOMMENDATION

This matter is before the Court upon the pro se prisoner Plaintiff's " Motion to Dismiss Defendant Evelyn Thompson." Docket No. 21. The Motion states that "newly discovered evidence has found out that Evelyn Thompson was not involved in this incidents [*sic*]." The Motion states that Plaintiff wishes to voluntarily dismiss her from this action.

The undersigned recommends that the instant Motion be treated as a Notice of Dismissal filed pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), and that this action be dismissed as to Defendant Evelyn Thompson without prejudice. (At the time the instant Motion was filed, none of the Defendants had filed either an Answer or a Motion for Summary Judgment.)

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has fourteen (14) days after service of this Report and Recommendation in which to file any written objections to this Recommendation with the District Court. Any party opposing said objections shall have fourteen (14) days after service of any objections filed to this Report in which to file any response to said objections. Failure to file specific objections within fourteen (14) days of

service of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *See Thomas v. Arn*, 474 U.S. 140, 106 S.Ct. 466, 88 L. Ed. 2d 435 (1985), *reh'g denied*, 474 U.S. 1111 (1986); 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72.



E. Clifton Knowles
United States Magistrate Judge